

1 SEDGWICK, DETERT, MORAN & ARNOLD LLP
MICKI S. SINGER (Bar No. 148699)
2 DENNIS E. RAGLIN (BAR NO. 179261)
One Market Plaza, Steuart Tower, 8th Floor
3 San Francisco, California 94105
Telephone: (415) 781-7900
4 Facsimile: (415) 781-2635

5 Attorneys for Defendant
DAIMLERCHRYSLER CORPORATION
6

7
8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION
10

11 CARLA CORTES, a minor, by and through her
Guardian ad Litem, ISABEL CORTES
12 GARCIA; ISABEL CORTES GARCIA; and
JUAN CARLOS GARCIA TORRES,

13 Plaintiffs,

14 v.

15 DAIMLER CHRYSLER CORPORATION, and
16 DOES ONE through ONE HUNDRED,

17 Defendants.
18

CASE NO. C-05-01012 CRB

**STIPULATION AND PROPOSED
ORDER EXTENDING DATES FOR
DISCOVERY, EXPERT
DISCLOSURE, DISPOSITIVE
MOTIONS AND TRIAL-RELATED
DEADLINES**

19
20 The parties, by and through their attorneys of record, hereby submit the following
21 Stipulation to continue the deadline for fact discovery, expert disclosure and discovery, expert
22 disclosure and expert discovery, dispositive motions and trial.

23 **REASON FOR REQUEST**

24 The parties have diligently been working to prepare this case for trial. The parties
25 participated in a mediation which did not resolve the matter, necessitating the launch of
26 comprehensive discovery. To that end, defendant has taken the depositions of both adult
27 plaintiffs and the identified witness to the subject vehicle fire which spawned this automotive
28 products liability case. The parties have also attended multiple vehicle inspections with their

1 experts to view the remnants of the vehicle and photograph it. These inspections have helped
2 focus and refine the nature of the dispute as to the cause of this fire, and provided direction for
3 future discovery.

4 Defendants have deposed the responding firefighters and paramedics, as well as a
5 responding police officer. More remains to be done. Defendant has subpoenaed for deposition an
6 additional police officer who investigated the subject fire, as well as at least three different medical
7 providers who treated plaintiff ISABEL CORTES. Additional doctors are being sought for
8 deposition. The parties have exchanged written discovery on each other, and engaged in an
9 extensive meet and confer process regarding DCC initial responses to plaintiffs discovery
10 requests. This has also necessitated an additional round of written discovery from both parties.
11 Plaintiff anticipates the possibility of further written discovery depending on the outcome of
12 upcoming PMK depositions. Finally, the Court recently signed a stipulated order for Mrs. Cortes'
13 IME, which will take place on August 12, 2006. To date, the parties' counsel have worked
14 amicably together through all aspects of scheduling, responding to and dealing with discovery and
15 its related issues.

16 However, even with the above discovery completed to date, more remains to be done and
17 nonexpert discovery has taken longer than expected. The Court has recently ordered, pursuant to
18 the parties' stipulation, that the non-expert discovery cut-off date be extended from August 11 to
19 September 30 to help accommodate the parties' ongoing discovery. The needs of witnesses and
20 the discovery schedule the parties are working with, however, cannot be accommodated within
21 that time frame, and the parties need additional time for completion of discovery, as well as for
22 expert disclosure and trial-related dates and trial. Specifically, the PMK deposition of defendant
23 is being scheduled for the week of September 14, 2006 to accommodate defendant's employee's
24 busy trial schedule. This is the earliest date defendant's employee can be made available for
25 deposition. This schedule therefore necessitates the plaintiffs having additional time within which
26 to conduct any follow-up, related depositions and discovery.

27 And, because of the above, additional time needs to be allocated for expert disclosure
28 pursuant to Federal Rules to allow expert reports to be comprehensive and be completed in a

timely fashion. Similarly, defendant needs to have expert discovery completed so as to prepare its expected summary judgment motion, and must have enough time to get the motion filed and heard before cut off dates. In short, the current state of discovery completion will require extending the expert, dispositive and trial-related dates.

STIPULATION

Hence, to give the parties adequate time to complete the ongoing fact discovery, as well as to properly prepare expert disclosures, the parties are in agreement – and seek the Court’s approval – to extend the following dates as set forth herein:

1. Fact Discovery: September 30, 2006 to November 6, 2006;
2. Expert Disclosure: September 1 to December 1, 2006;
3. Rebuttal Disclosure: October 29, 2006 to January 5, 2007;
4. Expert Discovery: December 1, 2006 to February 16, 2007;
5. L/D File Dispositive Motions: December 11, 2006 to March 9, 2007
6. L/D Hear Dispositive Motions: January 12, 2007 to April 13, 2007
7. Trial Date: February 12, 2007 to May 21, 2007

IT IS SO STIPULATED.

DATED: August 2, 2006

WALKUP, MELODIA, KELLY, WECHT &
SCHOENBERGER

By: Douglas S. Saeltzer
DOUGLAS S. SAELTZER
WALKUP, MELODIA, KELLY, WECHT &
SCHOENBERGER
Attorneys for Plaintiffs CARLA CORTES, a
minor, by and through her Guardian at Litem,
ISABEL CORTES GARCIA; ISABEL
CORTES GARCIA; and JUAN CARLOS
GARCIA TORRES

DATED: August 2, 2006

SEDGWICK, DETERT, MORAN & ARNOLD

By: Dennis E. Raglin
DENNIS E. RAGLIN
SEDGWICK, DETERT, MORAN & ARNOLD
Attorneys for Defendant
DAIMLER CHRYSLER CORPORATION

ORDER

Pursuant to the Stipulation above, IT IS HEREBY ORDERED THAT the following dates are extended as set forth below:

1. Fact Discovery: September 30, 2006 to November 6, 2006;
2. Expert Disclosure: September 1 to December 1, 2006;
3. Rebuttal Disclosure: October 29, 2006 to January 5, 2007;
4. Expert Discovery: December 1, 2006 to February 16, 2007;
5. L/D File Dispositive Motions: December 11, 2006 to March 9, 2007
6. L/D Hear Dispositive Motions: January 12, 2007 to April 13, 2007
7. Trial Date: February 12, 2007 to May 21, 2007

IT IS FURTHER ORDERED that the Pre-Trial Conference currently set for February 6, 2007 at 2:30 p.m. is continued to May 15, 2007 at 2:30 p.m.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO ORDERED.

DATED: August 14, 2006

